

State of South Dakota

SEVENTY-SECOND SESSION LEGISLATIVE ASSEMBLY, 1997

273A0367

SENATE BILL NO. 135

Introduced by: Senators Whiting, Daugaard, Dunn (Jim), and Rounds and Representatives
Eccarius, Brosz, DeMersseman, Derby, Duniphan, Madden, Peterson (Bill),
Pummel, Smidt, and Wetz

1 FOR AN ACT ENTITLED, An Act to clarify certain conditions for vacating, changing, or
2 relocating section-line highways.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 31-18-3 be amended to read as follows:

5 31-18-3. The board of county commissioners may vacate or change the location of any
6 section-line highway within its county, and the board of supervisors of an organized township
7 may vacate or change the location of any section-line highway within its township, as provided
8 in this title, but if the public interest will be better served by the proposed vacating, changing, or
9 locating of the highway. However, neither board may vacate or change any portion of the state
10 trunk highway system or any highway constructed by state or federal aid or any highway within
11 the limits of a municipal corporation, nor may a board of supervisors vacate or change any
12 portion of the county highway system. In addition, no board of county commissioners or board
13 of supervisors may vacate a section-line highway which provides access to public lands. This
14 section does not prohibit the closing of a section-line highway to vehicular traffic if the highway
15 is unsafe for vehicular traffic. For the purposes of this section, public land does not include any

1 school and public lands.